

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

Sitting at Tokyo, Japan

Case No. I

UNITED STATES OF AMERICA, et al

- v. -

ARAKI, Sadao, et al

APPLICATION ON BEHALF OF ITAGAKI, Seishiro,
FOR AN ORDER FOR PRODUCTION OF A WITNESS

Comes now the accused herein ITAGAKI, Seishiro, and makes known to this Tribunal that he is desirous of obtaining from this Tribunal an order and process for the production of the following named person as a witness in his behalf at this trial.

NAKAJIMA, Tetsuzo - This witness' nationality is Japanese. He is said to be in custody in Sumatra Netherlands East Indies. He was Vice Chief of the Japanese General Staff at the time Itagaki, Seishiro, was Minister of War.

The facts concerning which this witness can give testimony are: - That as Vice Chief of the Japanese General Staff in 1935, when the Halkin-Gol River (Momonhan) Incident occurred, he was sent to Manchuria by the Japanese Government with directions to endeavor to end the fighting between the Japanese and the Soviets, irrespective of whether strategical advantage or disadvantage resulted; that the Japanese Government did not desire the affair to spread into large scale operations, and that the Kwantung Army in such affair acted in self defense.

The relevancy of this testimony lies in that it will dispute the claim of the prosecution and its evidence in support thereof tending to show that in such incident Japan was the aggressor.

WHEREFORE, your petitioner prays that appropriate order be entered herein for the issuance of process ad testificandum for the production of said witness at this trial.

The precise date upon which this witnesses' testimony will be given is not known to this petitioner, but he states that his presence for the purpose of interview and consultation is current.

ITAGAKI, Seishiro

By _____
Yamada, Honzo

Floyd J. Mattice
His Counsel